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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/541,391

07/01/2005

Hideyasu Matsumura

P28122

6325

7055 7590 04/16/2010  
GREENBLUM & BERNSTEIN, P.L.C.  
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RESTON, VA 20191

EXAMINER

RIOJA, MELISSA A

ART UNIT

PAPER NUMBER

1796

NOTIFICATION DATE

DELIVERY MODE

04/16/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com  
pto@gbpatent.com

**Notice of Allowability**

Application No.

10/541,391

Examiner

MELISSA RIOJA

Applicant(s)

MATSUMURA ET AL.

Art Unit

1796

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to April 8, 2010.
2. ☒ The allowed claim(s) is/are 10-29.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application   |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>4/10/2010</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                          |
|  | 9. <input type="checkbox"/> Other _____.  |

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b> 10/541,391	<b>Applicant(s)</b> MATSUMURA ET AL.	
	<b>Examiner</b> MELISSA RIOJA	<b>Art Unit</b> 1796	

**All Participants:**

**Status of Application:** Allowed

(1) MELISSA RIOJA.

(3) \_\_\_\_\_.

(2) STEPHEN ROYLANCE.

(4) \_\_\_\_\_.

**Date of Interview:** 9 April 2010

**Time:** 4 PM

**Type of Interview:**

- ☒ Telephonic  
☐ Video Conference  
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

**Exhibit Shown or Demonstrated:** ☐ Yes ☒ No

If Yes, provide a brief description: \_\_\_\_\_.

**Part I.**

**Rejection(s) discussed:**

*None*

**Claims discussed:**

*None*

**Prior art documents discussed:**

*None*

**Part II.**

**SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:**

*Amendment of title to replace "beads" with "particles"*

**Part III.**

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.  
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/James J. Seidleck/  
Supervisory Patent Examiner, Art Unit 1796

(Applicant/Applicant's Representative Signature – if appropriate)

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Stephen Roylance on April 9, 2010.

The application has been amended as follows:

In the title, line 1, "beads" has been substituted by --particles--.

In the title, line 3, "beads" has been substituted by --particles--.

**Claims 10 - 29** are allowed.

The following is an examiner's statement of reasons for allowance: the closest prior art of record does not teach or suggest the claimed amounts of polymerization initiator and styrene component in Claims 10 - 29. The closest prior art of record, JP 1-284536 to Takamasa et al., teaches amounts of initiator and styrene components outside the ranges in the instant claims. In their decision on the instant case on September 28, 2009, the Board of Patent Appeals and Interferences held that a person of ordinary skill in the art would not depart from the teachings of Takamasa et al. by optimizing the amounts of initiator and styrene originally disclosed because doing so would run counter to the direction and guidance of the reference (Pages 9 and 10).

The new claims present in this application and amendments to the specification filed after the decision rendered by the Board of Patent Appeals and Interferences fix formal matters and correct the mistranslation of particles, formerly referred to as

“beads” throughout the specification. New limitations present depend from claims which are otherwise identical to those in which the examiner was reversed by the Board of Patent Appeals and Interferences and are entirely supported by the original specification.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### *Correspondence*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELISSA RIOJA whose telephone number is (571)270-3305. The examiner can normally be reached on Monday - Friday 7:00AM - 3:30PM E.S.T..

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Mark Eashoo can be reached on (571)272-1197. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ James J. Seidleck /  
Supervisory Patent Examiner, Art Unit 1796

/MAR/  
April 10, 2010